DOCUMENT RESUME

ED 456 667 FL 026 894

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TITLE Separating Difference & Disability.
PUB DATE 2001-00-00
NOTE 17p.; Paper presented at the Annual Meeting of Teachers of English to Speakers of Other Languages (St. Louis, MO, March 1, 2001). Some text may not reproduce well. Produced by CrossCultural Developmental Education Services (CCDES).
PUB TYPE Guides - Non-Classroom (055) -- Speeches/Meeting Papers (150)
EDRS PRICE MF01/PC01 Plus Postage.
DESCRIPTORS *Acculturation; Adult Education; Check Lists; *Cognitive Development; Cognitive Style; Cultural Education; *Language Impairments; Limited English Speaking; Student Evaluation

ABSTRACT

This document discusses culture, identity, and cognitive development. It focuses on acculturation of English-as-a-Second-Language learners, discussing criteria for transferring students with limited English proficiency into the mainstream and the difference between language disabilities and learning difficulties. The following forms are included: "Sociocultural Checklist"; "Sociocultural Resiliency Checklist"; and "Pre-Referral Review for Diverse Learners." (KFT)

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ED 456 667

Separating Difference & Disability

By Dr. Catherine Collier

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Cognition & Culture

Culture The concept of things that particular people use as models of perceiving, relating, and interpreting their environment.

Cognition The process by which individuals perceive, relate to, and interpret their environment.

Cultural identity & cognitive development occur concurrently and are enmeshed with one another. Both describe perceptions and the manner in which we develop awareness of and interpret our environment. Any effort to assess or provide intervention with cognitive development must be done within the cultural context.

"[Culture is] the organization of behaviors, values, ideas, shared by a particular group of people. [It is] the concept of things that particular people use as models of perceiving relating, and interpreting their environment." (Goodenough 1957)

Edward T. Hall goes so far as to liken this cognitive cultural base to the hardwiring of a computer. The essential difference between an IBM versus a MAC. One cannot become the other; this does not mean, however that they cannot communicate or work effectively together. This is where the 'software' or learned behaviors comes in, I.e. once our basic operating system is in place, we can learn new languages, gestures, customs, while retaining our fundamental processes.

"Primary level or implicit culture [values, behavior, locus of control, etc.] is analogous to the hardware of a computer, while explicit culture [language, gestures, customs, tastes, etc.] is like software." (Hall 1983)

"[Cognition is] the process of knowing including both awareness and judgment." (Webster's Dictionary).

"[Cognition is the] process of perceiving, attending, thinking, remembering and knowing. The process by which individuals perceive, relate to, and interpret their environment. (Blumental 1977)

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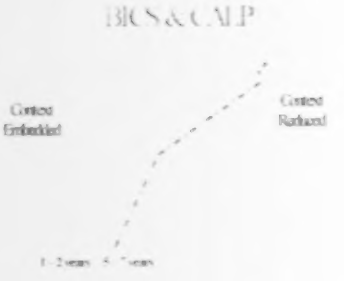
The Nature/Nurture triangle is a foundation for a common vocabulary. The bottom tier represents all the things we share as **human** beings and the place where differences and disabilities become most fundamentally apparent: variations in height, color, gender are differences while variations in sensory, linguistic and cognitive processing abilities may be seen as 'disabilities' in some cultures. Cultural differences in what is/is not a disability are learned not inherent in humanity. The next tier **Enculturation** is where we learn how to interpret the world, which begins from the moment of birth, and includes beliefs, tastes, humor, language, behavior expectations, etc. This diversity makes our mainstream standardized educational processes challenging, language and culture issues compound the range of diverse abilities we must accommodate within our schools. Another factor in this process is **acculturation**, tier 3. Acculturation is a natural human process, everyone experiences, and it is the adaptation to a new cultural, language, and interaction environment.

Have you ever seen students like this? If you had a student who looked like this, what would you think – do? [Behavior/learning concerns will emerge] Yes, these look like, indeed are, behavior and learning problems. They look like behavior and/or learning disabilities and often result in referrals to special education or other services. However, these are NORMAL side effects of acculturation, not indications of disabilities. The appropriate intervention for these is to 'treat' the impact of culture shock, which is not a disability. Acculturation is adaptation, integrative not assimilation (reference to Padilla research if time). Acculturation is cyclical and the stress effects vary over time. This is why we include a measure of rate and level of acculturation in our tool kit for separating difference from disability, the Acculturation Quick Screen (AQS).



Another aspect of acculturation is second language acquisition. The L2 process must be facilitated within context of acculturation, addressing acquisition needs while facilitating acculturation. L2 acquisition has 2 aspects, BICS or social and CALP or academic. Social language is context embedded. The length of time required to achieve age appropriate levels of BICS (basic interpersonal communication skills) or social language is one to two years. Cognitive academic language is context reduced. With minimal assistance, the length of time required to achieve age appropriate levels of CALP (cognitive academic language proficiency) or academic language is five to seven years. With intensive assistance, can bring BICS down to one year and CALP down to about four years. But there are long-term academic consequences to how this is done. This is why we include functional language screening as part of our kit for separating difference from disability.
You have to adapt to the language appropriate to the situation and learn the language of instruction when in school.

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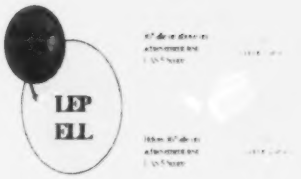
Entry Exit Criteria For LEP



In application to public schools, we accommodate LEP/ESL/ELL students who need to acquire English by identifying and placing LEP/ESL/ELL in special programs. This is done by identifying all PHLOTE students at enrollment, then testing them for English proficiency. Typical measure is with Language Assessment Scales (LAS) for their oral proficiency. A score below 4 on the 5-point LAS scale typically qualifies LEP/ESL/ELL students for ESL services. Some states allow students scoring 4 to remain in ELL services. ESL services include newcomers, bilingual transitional, developmental bilingual, ESL education programs and others. Almost all states require exit from ESL services when students attain a LAS 5 oral score and/or academic achievement of at least 35% on a standardized test in English. District plans must comply with federal law and meet OCR guidelines. These guidelines require a designated monitoring period for exited students to assure appropriate achievement levels are being maintained.

Difference Vs Disability

- I need with/without meaning
- Inamat need plural
- Lack of contraction of apostrophes and 's' to indicate possession
- Inamat word order of verb misplaced
- I need inamat subject-pronoun agreement
- Lack of subject-verb agreement
- Inamat need articles and inamat agreement with noun
- Omission of preposition and need 'in' when one is needed etc

Language disability can only be said to exist within L1. If the language problem occurs only within English (L2), it is not a disability - it is a difference. The problems shown here are "normal" syntactic errors for ESL speakers to make in English. They are indications of differences not disabilities. However, it is still a significant issue to address with appropriate interventions for language development, language acquisition, and acculturation. It is appropriately addressed through ESL/bilingual services (also called ELL services) not Special Education. If there is a true linguistic disability, it may be identified as an L1 problem, or that it occurs within L1. It may be manifested within L2 and impact L2 learning, but identifying it as a disability depends upon identification within L1 context. Cannot use assessment tools normed upon native English speakers to measure L2 learners' development or proficiency with any accuracy. Without accommodation, cannot use cognitive, achievement or content area tests in English with LEP/ESL/ELL, because you are then measuring their ENGLISH not their cognition, achievement or content knowledge.

Another related consideration here is that these tests also are measuring student's learning style and exposure to or experience with specific content or ways of thinking about content. If you have not experienced xx or been taught xx, testing your approach to or knowledge of xx is frustrating and needlessly stressful. Plus many times instructionally meaningless as the teacher could find this out by other means. This is why we include a Sociocultural Checklist in our kit for separating difference from disability: it briefly covers language, culture, acculturation, experience, cognitive learning style, and sociolinguistic differences.

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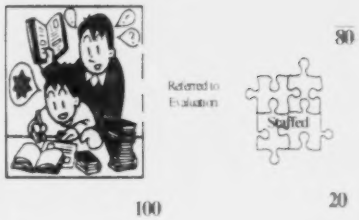
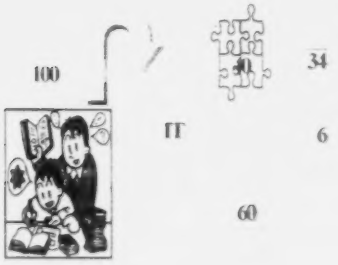
Traditional Referral Model



Traditional referral process has teachers, parents, or others identifying an LEP/ESL/ELL or other student as having some sort of learning and behavior problem. They take this focus of concern to the Child Study Team (Special Education Teacher, School Psychologist, Speech Language, etc.) for evaluation of the problem. This group usually asks teacher to report or document what has been tried with the student. They use variety of assessment tools to evaluate need and then hold a Staffing to make and document their service decision, i.e. eligibility for Special Education or other special services. In the traditional model, about 12% of children are referred, out of those referred, about 80% will be found eligible for special services and about 20% will be returned to the regular program with or without suggestions for instructional modifications. National average for Special Education placement is about 10% of school population. Range is 8%-12%. Anything above or below that within a particular population of students (ex. ethnically or linguistically diverse) would be an indication of over/under identification issues.

PreReferral Intervention Model



The PreReferral Intervention model also has teachers, parents, or others identifying an LEP/ESL/ELL student as having some sort of learning and behavior problem. Rather than taking this focus of concern to a traditional Child Study Team (the presence of either the Special Education Teacher or the School Psychologist is key distinction of this group), the concern is addressed to an Intervention Team (sometimes called Teacher Assistance Team, Student Assistance Team, Instructional Support Team, etc.) for evaluation of the problem. This group is composed of instructional personnel (classroom teachers, ESL/bilingual teachers, learning support specialist, Title I, instructional assistants, etc.) and in fully functioning groups does not include the psych or spec ed teacher. The speech/lang specialist or other specialist may be included to provide information or make suggestions about interventions, but the focus is on instructional options and the implementation of specific interventions, not on referral to assessment. The Intervention Team uses specific screening and monitoring tools to guide them through the intervention process (covered in CCDES Steps). Based upon these tools, they provide guidance and direct assistance to classroom personnel working with the student for 6 to 8 weeks. Team members, including the classroom teacher, report and document the response of the student to the interventions. At the conclusion of the intervention period, they make a decision whether to formally refer the student for evaluation and staffing. With Intervention, nationally the average is 60%-80% who have their learning and behavior needs addressed with only 20%-40% being referred on to formal evaluation and staffing. With very intensive, fully implemented models, we see 80% having their needs met through intervention and only 20% going on to formal referral. Out of those referred, about 80% will be found eligible for special services and about 20% will be returned to the regular program with suggestions for instructional modifications regarding language and acculturation. Look at the difference in terms of caseload and ability to provide intensified instruction.

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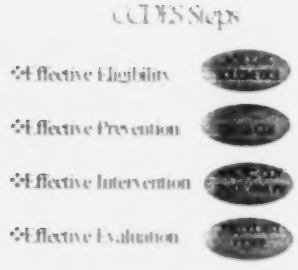
Even more effective is the Prevention model. Where these are fully implemented, 60%-80% of LEP/ESL/ELL students have their needs met within the regular instructional program, with integrated bilingual, ESL, and acculturation support. There are few of these programs fully in place, but many districts have emerging models. The basic elements are improved information profiling at intake, better monitoring of progress through diverse instructional options, and directed services based upon resiliency factors identified at intake. All students receive individualized, developmental, intensified instruction based upon students' resiliency characteristics.

So how do we sort all of this out? How do we separate difference from disability? This paradigm illustrates the process. Begins with improving our info gathering at intake, having effective prevention based inclusive classrooms and programs, better and more targeted prereferral procedures and interventions, cleaner and documented decision whether or not to refer for formal evaluation, improved evaluation procedures, cross-cultural staffing and placement, and completely integrated services for all diverse learners. We will go into more detail about how we implement these elements at each critical juncture.



Our tools are designed to facilitate your implementing this process with the least bias and most accurate accommodation for culture, language and level of acculturation. The text Separating Difference from Disability has complete information and research discussion for all tools and procedures. If we have time, we will go through the AQS and Sociocultural in detail using the Jose case study. The other tools are the CLIC, PRR and others. Sociocultural is especially critical in identifying and prioritizing interventions during prereferral and AQS is especially critical in guiding instructional and later assessment choices (identifying not only level of acculturation but also rate of acculturation). All of these tools are designed to assist the TAT or Child Study Team in identifying and targeting interventions. Also will assist the Evaluation team (MDT) or school Psychologist in screening inappropriate referrals or guiding assessment administration where there is a decision to proceed with a well-documented formal referral.

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Acculturation Quick Screen (AQS) ©2001 Dr. Catherine Collier

NAME/Student Number: _____ SCHOOL: _____

DATE OF BIRTH: _____ SEX: F☐ M☐ GRADE: _____ AGE AT ARRIVAL IN U.S.: _____

LANGUAGE(S) SPOKEN AT HOME: _____

CULTURAL/ENVIRONMENTAL FACTORS	Information	Scaled Scores
1. Number of years in the North America		
2. Number of years in the School District/School		
3. Number of years in ESL and/or Bilingual Education		
4. Bilingual Proficiency		
5. Native Language Proficiency		
6. English Language Proficiency		
7. Ethnicity/Nation of Origin		
8. % of Minority in Present School		
AQS Score Total:		

AQS SCALE SCORING GUIDELINES

1. YEARS IN N. Amer.

Under one year = 1
One to two years = 2
Over two, up to four year = 3
Over four, up to five years = 4
Over five, up to six years = 5
Over six years = 6

2. YEARS IN DISTRICT

Under one year = 1
One to two years = 2
Over two, up to four year = 3
Over four, up to five years = 4
Over five, up to six years = 5
Over six years = 6

3. YEARS IN ESL/BILINGUAL PROGRAM

Up to one year in directed instruction = 1
Over one, up to 1½ years = 2
Over 1½, up to two years = 3
Over 2, up to 2½ years = 4
Over 2 ½, up to four years = 5
Over four years = 6

4. NATIVE LANGUAGE PROFICIENCY

Does not speak the language = 1
Has receptive comprehension [understands when spoken to] = 2
Limited social speaking ability only e.g. can carry on a basic social conversation [BICS only] = 3
Intermediate social speaking and limited academic thinking abilities [intermediate BICS, limited CALP] = 4
Intermediate social speaking and academic thinking abilities [intermediate BICS & CALP] = 5
Advanced social speaking and academic thinking abilities [fluent BICS& CALP] = 6

5. ENGLISH LANGUAGE PROFICIENCY

Does not speak the language – Lower than LAS/SOLOM 1 = 1
Has receptive comprehension [understands when spoken to] – LAS/SOLOM 1 = 2
Limited social speaking ability only (can carry on a basic social conversation [BICS only] – LAS/SOLOM 2 = 3
Intermediate social speaking, limited academic abilities [intermediate BICS, limited CALP] – LAS/SOLOM 3 = 4
Intermediate social speaking and academic thinking abilities [intermediate BICS &CALP] – LAS/SOLOM 4 = 5
Advanced social speaking and academic thinking abilities [fluent BICS & CALP] – LAS/SOLOM 5 = 6

6. BILINGUAL PROFICIENCY

Essentially speaks only one language [monolingual] = 1
Primarily speaks one language [fluent BICS], can speak some second language [beginning BICS] = 2
Advanced speaker [fluent BICS] in one, intermediate speaker [intermediate BICS] in other = 3
Basic academic thinking [CALP] in one, intermediate speaker [intermediate BICS] in other = 4
Most academic thinking [CALP] in one, some ability to think in other = 5
Bilingual in social speaking [BICS] and academic thinking [CALP] = 6

7. ETHNICITY/NATIONAL ORIGIN

Amer Indian/Native American/Indigenous Populations/First People = 1
Hispanic/Latino/Chicano = 2
African, East Asian (Countries near/NE Bay of Bengal), Pacific Islander = 3
West Asian (near/NW Arabian Sea) or Middle Eastern = 4
Eastern European = 5
Western European = 6

8. PERCENT of SCHOOL POPULATION SPEAKING THIS STUDENT'S LANGUAGE

81% - 100% of enrollment = 1
65% - 80% of enrollment = 2
45% - 64% of enrollment = 3
25% - 44% of enrollment = 4
11% - 24% of enrollment = 5
0% - 10% of enrollment = 6

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Sociocultural Checklist © 2001 Dr. Catherine Collier

Student:		Date:	Age:	Teacher:
Sociocultural Factors	✓	**Selected Cross-Cultural Adaptation Risk Factors**		
Culture & Language		Comes from non-English speaking home.		
		Comes from a culture or ethnic group different from mainstream America.		
		Family emphasis support of family or community/group over individual effort.		
		Comes from non-English speaking geographic area.		
% Checked:		Has culturally appropriate behaviors that are different from expectations of mainstream America.		
		There is no support in the home for bilingual and bicultural development.		
		Out of 6 Total		
Acculturation Level		Recent immigrant, refugee, migrant, or resides on reservation.		
		Doesn't interact much with majority culture peers or majority cultural group.		
		Displays confusion in locus of control.		
		Displays heightened stress or anxiety in cross-cultural interactions.		
% Checked:		Oral expression contains considerable code switching.		
		Expresses or displays sense of isolation or alienation in cross-cultural interactions.		
		Out of 6 Total		
Cognitive Learning Style		Few cognitive learning strategies appropriate to classroom/school.		
		Cognitive learning style different or inappropriate in relation to teacher's instructional style.		
		Easily frustrated or low perseverance in completing tasks.		
		Retains learning strategies that are no longer appropriate.		
% Checked:		Displays difficulty with task analysis.		
		Displays difficulty with understanding and applying cause and effect.		
		Out of 6 Total		
Experiential Background		High family mobility.		
		Limited or sporadic school attendance.		
		Low socioeconomic status.		
		Little exposure to subject or content or not familiar with material.		
		Disrupted early childhood development.		
% Checked:		Few readiness skills.		
		Does not know how to behave in classroom.		
		Different terms/concepts for subject areas or materials and content.		
		Uses survival strategies that are not appropriate in the classroom.		
		Out of 9 Total		
Sociolinguistic Development		Doesn't speak English.		
		Limited academic language in native language.		
		Limited social language in English.		
		Rarely speaks in class.		
		Speaks only to cultural peers.		
% Checked:		Limited academic language in English.		
		Asks peers for assistance in understanding.		
		Appears to know English but can't follow English directions in class.		
		Out of 8 Total		

The presence of one or more of these five sociocultural factors contributes to students' experiencing success or difficulty in American public schools. The Sociocultural Checklist is designed for needs-based intervention. Intervention should be provided in any factor area where more than 40% items are checked before proceeding with a formal referral of students experiencing learning and behavior difficulties. If more than 14 items are checked overall, further assessment/placement decisions must include bilingual and English as a second language instruction, cross-cultural modifications, and assistance with the acculturation process as well as specific learning and behavior interventions.

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Effective Eligibility

Step 1: Home Language Survey
Step 2: LAS, SOLOM, Woodcock-Muñoz
Step 3: Acculturation Quick Screen

This stage in separating difference from disability refers to early and accurate info about an incoming culturally/linguistically diverse student to your district that can literally make or break it for this student's academic success. The eligibility stage is the step where the student's eligibility for specific supplemental and learning support services is determined: Newcomers classes, ESL services, bilingual support in the classroom, or other services.
The Home Language survey needs to be phrased in such a way as to get accurate information about language use, e.g. what language(s) other than English are spoken in the home?
All of the tests mentioned are suitable for determining eligibility for bilingual support in the classroom and level of ESL services. The AQS provides additional information for determining degree of risk for culture shock and the need for acculturation assistance in any of the three service areas.

Eligibility Recommendations

- Collect accurate and instructionally meaningful information
- Train intake personnel
- Use information to plan appropriate prevention/instruction
- Use information to plan appropriate intervention, placement and instruction

This stage in separating difference from disability refers to early and accurate info about an incoming culturally/linguistically diverse student to your district that can literally make or break it for this student's academic success. The eligibility stage is the step where the student's eligibility for specific supplemental and learning support services is determined: Newcomers classes, ESL services, bilingual support in the classroom, or other services.
Collect accurate & instructionally meaningful information about language, culture, and acculturation.
1. Language: This means identifying the home language(s) through an accurate home language survey that gathers instructionally meaningful information regarding prior exposure to English, the extent various caregivers are using other languages in the home with the student, language preferences, etc. After identifying that family is PHLOTE, the student must be assessed for language proficiency in both English and the other language(s) of the home. This may be through using formal tests such as LAS Oral (& Reading/Writing as appropriate) or Woodcock-Muñoz both of which can be given in Spanish and English, or the English version of these supported with L1 information collected by observation, language sampling, CLIC, local normed/developed instruments or interview where formal tests are not available.
2. Culture: This means truly identifying the home culture. This does not mean generic "Hispanic" or "Indian" as these terms do not give much instructionally meaningful information. Usually the home language survey has one or two questions on it that ask the family to self identify, but this can also be done through interview or review of records. Note - Just because someone comes from Guatemala or Mexico does not mean they are x, y, or z. Or that the native language is Spanish. They may be Mixteco or Mayan or…?
3. Acculturation: Using the Acculturation Quick Screen (AQS), collect information about the student's level of acculturation at enrollment. At this stage, the AQS score provides information to use in planning instruction and intervention for culture shock. This information will also become critical for determining appropriate **rate** of acculturation is occurring for this student over time. AQS information is also vital part of the "pre-referral" process and used for planning interventions and guiding further assessment.
4. Train intake personnel: Many times the key person making early decisions about whether or not a student is eligible for support services is the secretary

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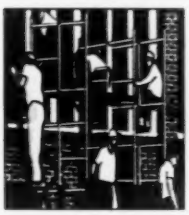
or aide sitting at the front desk when the family comes in to enroll their child. This person needs to do more than 'eyeball' a family as culturally different or think they are not linguistically different because the adult filling out the paperwork speaks English. Sometimes this is not the primary caregiver but a relative who is more acculturated. Sometimes this is a relative who was available to enroll the child while the parents worked and may or may not be as proficient as other family members. The intake person needs to be trained to ask key questions of every adult enrolling their child, have immediate access to trained interpreters when needed, and have a stack of appropriate home language surveys (in various languages) on hand for the family to complete. Schools which have prevention models can use this information to plan for appropriate services and classroom placement, e.g. in bilingual content classrooms at grade level, access to bilingual assistance within content areas, teacher and aide trained for maximum facilitation of acculturation. Schools which have intervention models, or combination of prevention & intervention, can use this information to plan for appropriate services, e.g. access to bilingual assistant for first term, 2 hours a day in Newcomers for 4 weeks, 2 hours a week with ESL specialist gradually phased to 5 hours a week, 4 hours a week in L1 literacy support activities, etc.

Effective Prevention



Step 1: Sociocultural Resiliency Checklist

Step 2: Cognitive Learning Strategies

This stage in separating difference from disability refers to having effective instructional programs and support available for all students including culturally/linguistically diverse as an integrated part of the mainstream classroom. Prevention is the not a step per se, but a philosophy, a systemic change in how services for at risk and diverse learners are perceived. In these models, each classroom has support and resource personnel trained and available to provide inclusive individualized instruction to all students within an integrated curriculum. Schools with these models may have 1 or more adults in each classroom working with the students in addition to the general education teacher. Materials are diverse and all content lessons are presented with "scaffolding" I.e. techniques and strategies which facilitate cognitive access to the content for all students regardless of language or ability. Teachers in these classrooms are flexible, well trained and experienced with individualizing. The Sociocultural Resiliency Checklist is an example of a planning tool the teacher would use to identify student strengths she would then build upon in presenting lesson content. The teacher would integrate cognitive learning approaches into all her instruction, modifying the way she presented materials and content. These are changes in how things are presented, not what is presented. The key elements in prevention are that it is: Inclusive not exclusive, Developmental not remedial, and Comprehensive.

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Sociocultural Resiliency Checklist © 2001 Dr. Catherine Collier

Sociocultural Factors	☑	Selected Cross-Cultural Resiliency Factors
Culture & Language		There is quality verbal communication in the home in a language other than English.
		There is behavioral guidance in the home consistent with a specific cultural/religious worldview.
		The cultural values of the home support cooperative effort.
		The family maintains communication with their linguistic/cultural community.
% Checked:		The family participates regularly in religious/social events within their linguistic/cultural community.
		There is active support in the home for bilingual and bicultural development.
		Total
Acculturation Level		Student attends events within the mainstream community.
		Student interacts with 'majority' peers or 'majority' cultural group.
		Student displays consistent sense of locus of control.
		Student appears comfortable in cross-cultural interactions.
% Checked:		The code switching in the student's speech shows an emerging understanding of English.
		Student appears comfortable switching from one linguistic/cultural environment to another.
		Total
Experiential Background		Adults in the home will provide encouragement and support for student's development.
		Student makes an effort to increase attendance.
		Adults in family provide for the student's basic needs.
		Family will provide support for student's learning.
		Early childhood development was appropriate to culture/language.
% Checked:		Student displays curiosity and is ready to learn.
		Student has prior classroom or formal education experience.
		Student has developmentally and linguistically appropriate literacy skills or pre-skills.
		Student demonstrates variety of survival strategies.
		Total
Socio-linguistic Development		Student has good basic interpersonal communication skills in native language.
		Student has moderate to good cognitive academic language proficiency in native language.
		BICS in English appears to be emerging.
		Student attempts to translate for others in the classroom.
		Student demonstrates emerging cognitive academic language proficiency in English.
% Checked:		Student seeks assistance from peers.
		Code switching demonstrates emerging English syntax and vocabulary.
		Student can demonstrate content knowledge in his/her native language.
		Total
Cognitive Learning Style		Student demonstrates consistent cognitive learning strategies.
		Student responds positively to variations in instructional strategies.
		Student responds positively to appropriate 'rewards/recognition'.
		Student can apply cognitive learning strategies when given guided practice.
% Checked:.		Student can use self-monitoring strategies.
		Student can assist others in learning a task.
		Total

The presence of one or more of these five socio-cultural factors contributes to students experiencing success in American public schools. The Sociocultural Resiliency Checklist is designed for strength-based instruction and recommended for early childhood programs. Prevention/intervention instructional plans should build upon identified resiliency. Areas with more than 40% checked provide an instructional foundation. Intervention should be provided in any factor area where less than 40% items are checked before proceeding with a formal referral of students experiencing learning and behavior difficulties. If less than 14 items are checked overall, further assessment & placement decisions must include bilingual and English as a second language instruction, cross-cultural modifications, and assistance with the acculturation process as well as specific learning and behavior interventions.

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Prevention Recommendations

- Inclusive not exclusive
- Developmental not remedial
- Comprehensive

Inclusive means that all services are brought to the student, rather than students going to the service provider. I.e. no pull outs. All instruction and assistance offered within the classroom setting with peers. This is not a return to the classroom teacher being the be-all and end-all, as he is not asked to do this alone and un-shriven. In these models, learning support and bilingual personnel may also be present in the classroom assisting all learners. The focus of instruction is developmental for all students. E.g., A second grade classroom may have students ranging in ability from mid-K to mid-4th with the bulk at 2nd grade level. All students are taken from where they are and moved ahead using comprehensive integrated instruction.

Effective Intervention

- Step 1: Sociocultural Checklist
- Step 2: Acculturation QuickScreen
- Step 3: CBC, SCICM, BASE, Work-task Matrix
- Step 4: PreReferral Review form

This stage in separating difference from disability refers to early, effective and targeted intervention for at-risk learners. This is sometimes called the Pre-referral stage as it is required prior to making formal referrals to special education. As noted previously (slide 13) the full implementation of this stage can result in 60%-80% of at-risk needs being addressed and not continuing to a formal referral. The intervention stage is the step where specific learning and behavior needs of the learner are identified and addressed with targeted focused interventions and the results monitored. It is recommended that this monitoring not be longer than 6-8 weeks. The key elements to implementing this are: Establish and nurture monitored intervention teams, Identify and intervene for specific learning and behavior problems, Address all language, culture and acculturation needs, and Monitor and document intervention for 6-8 weeks. The tools we recommend the intervention team use for doing this are: a sociocultural checklist (SC), an acculturation measure (AQS), a functional language measure, and a summary and monitoring form (the PreReferral Review form).

Intervention Recommendations

- Establish and nurture monitored intervention teams
- Identify and intervene for specific learning and behavior problems
- Address all language, culture and acculturation needs
- Monitor and document intervention for 6-8 weeks

The key elements to implementing this are: Establish and nurture monitored intervention teams, Identify and intervene for specific learning and behavior problems, Address all language, culture and acculturation needs, and Monitor and document intervention for 6-8 weeks. The tools we recommend the intervention team use for doing this are: a sociocultural checklist (SC), an acculturation measure (AQS), a functional language measure, and a summary and monitoring form (the PreReferral Review form).

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PreReferral Review for Diverse Learners © 2001 Dr. Catherine Collier

STUDENT: _____ DOB: ____ AGE:_____ DATE: _____
SCHOOL: _____ Current GRADE: _____
PERSON MAKING REQUEST: _____ POSITION: _____
Language(s) student speaks other than English: _____
Language(s) student speaks with: parent/guardian_____
sibling(s)_____ friends_____
Language(s) parent/guardian speaks to student: _____
Are parents aware of your concerns: ☐ Yes ☐ No

School Experience Outside **United States:**
Country(ies)_____
Age started school _____ Number of interruptions _____
Circle each grade completed outside the U.S./Canada.
Pre-K 1 2 3 4 5 6 7 8 9 10 11 12

School Experience Inside **United States:**
Age started school _____ Number of interruptions_____
Circle each grade completed in the U.S./Canada. On the line below each grade write the number of days absent or NIA (No Information Available)
Pre K 1 2 3 4 5 6 7 8 9 10 11 12
Days absent: ___ ___ ___ ___ ___ ___ ___ ___ ___ ___ ___ ___ ___ ___
Number of schools attended:_____ Retained? ☐ Yes ☐ No Grade(s)_____
Previous concerns as indicated in student file:
_____

REASONS FOR CONCERN:

Sociocultural Priorities (Sociocultural Checklist)

Sociocultural Area	Order of Concern	Duration of Intervention	Outcomes of Intervention
Acculturation			
Cognitive Learning			
Culture & Language			
Experiential Background			
Sociolinguistic Development			

Achievement or Behavioral Areas

Please check the appropriate boxes to indicate your level of concern in each area.	High Concern 5	4	3	2	Low Concern 1	Progress Being Made? Check Yes or No
A. Achievement in English						
1. Receptive Language Social Comprehension						☐ yes ☐ no
2. Receptive Language Academic Comprehension						☐ yes ☐ no

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3. Expressive Language Social Interaction						☐ yes ☐ no
B. Behavior						
1. Works Independently						☐ yes ☐ no
2. Cooperates in a group						☐ yes ☐ no
3. Able to focus/attend						☐ yes ☐ no

Is student currently receiving services via: (circle all that apply)

Title I Reading Title I Math LEP/ESL Counseling Other

Health Factors:

Vision: _____ Screen Date: _____ Glasses: Y or N Date: _____

Hearing: _____ Screen Date: _____ History of ear infections: Y or N

Developmental problems: Y or N Other _____

INTERVENTIONS

Please indicate the interventions tried. Refer to Appendix for more interventions. Include the frequency (1 hr/day, 1 hr/week, etc.) and the duration (one week, one month, etc.).

ACADEMIC INTERVENTIONS TRIED:	FREQUENCY	DURATION	PROGRESS MADE
Translation			
Adapted Instructional Materials			
Active Processing			
Sheltered Instruction			
Peer Tutors (English)			
Peer Tutors (Native Language)			
Guided Practice (Identify Content)			
Varied Instructional Settings			
Supplemental L1 Materials			
Transfer strategies			
BEHAVIORAL INTERVENTIONS TRIED:	**FREQUENCY**	**DURATION**	**PROGRESS MADE**
Planned Positive Reinforcement			
Behavioral Contract			

[This is not the whole form, just an example of what it covers.]

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Referral Recommendations

- Document intervention results to clarify difference versus disability concerns
- Make a referral decision based upon student response to intervention
- Negative response = valid referral
- Positive response = effective intervention

This stage in separating difference from disability refers to appropriate referral of at-risk learners to special education, after a documented period of intervention. As noted previously (slide 13) with appropriate interventions less than 40% of monitored students would go on to this stage. The referral stage is the step where the results of the intervention period are analyzed and a decision is made to refer or not to refer the student. This is done by analyzing the PreReferral Review form or other summary documentation of the results of the monitored intervention period specifically to clarify difference versus disability concerns. The referral decision must be based upon student response to monitored interventions and not just in answer to "teacher squeak". If the student has shown little or no progress through the 6-8 weeks of targeted intervention for experience, cognitive learning style, culture, acculturation, and language (the 5 items on the SC), it means the student's learning and behavior problems are **not due to difference** but something else that must be identified. They will make a formal referral for a full evaluation and staffing of the student. Positive or growth response to the monitored interventions means that the learning and behavior problems were **not due to disability** and that the student is having his/her difference and adaptation needs addressed appropriately within the context of the regular instructional environment and a referral to special education is not appropriate.

Effective Evaluation

- Step 1: Test Evaluation Checklist
- Step 2: Checklist for Cross-Cultural Administration of Standardized Tests
- Step 3: No naked numbers!

This stage in separating difference from disability refers to effective and targeted evaluation of the unanswered issues about the at-risk learner after intervention has not resulted in meaningful change.
The evaluation stage is the step where the type and extent of specific learning and behavior needs are identified through formal evaluation. It is at this stage where modification in the administration of standardized tests may be necessary based upon **cultural and linguistic differences**. We recommend some sort of test evaluation using item analysis or at least pre-screening the tool for specific problem areas (such as TEC). We also recommend that evaluation professionals document their observations and modifications/accommodations in some formal way (such as CCAST) and do not let test results stand alone without explanation and interpretation in regards to cultural and linguistic differences (no naked numbers).

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Evaluation Recommendations

- Comprehensive evaluation of learning and behavior problems not addressed by monitored interventions.
- Documentation of adaptation and interpretation.

The Evaluation team benefits by effective prereferral intervention and identification procedure = smaller numbers, more likely to be students with true disabilities, able to document (OCR compliant) how account for language culture and acculturation issues in the assessment of student – that student did not respond to interventions for culture, language, acculturation and thus needed to proceed to full evaluation. Evaluation personnel should include explanatory comments about the interaction of linguistic and cognitive development, the effect of acculturation upon observed/measured achievement and cognitive development in their interpretations of assessment results. Documentation of adaptations they have made to the evaluation process regarding test bias is also important.

Staffing Recommendations

- Cross-cultural comprehensive IEP.
- Monitoring plan & schedule for review.
- Monitor and review achievement of non-placed diverse learners.
- Review exit and entry criteria and conduct self-studies of procedures.
- Monitor identification and placement rates.

This stage in separating difference from disability refers to development of an appropriate instructional plan, an individualized education plan (IEP) for the student identified as eligible for special education services. The staffing stage is the step where special education learning and behavior needs of the learner are addressed with targeted interventions, including a plan for monitoring student progress.

We also recommend that the Evaluation & Staffing team develop a plan to monitor and review the achievement of non-placed diverse learners, review exit and entry criteria and conduct self-studies of procedures. We also recommend an annual review of identification and placement rates of LEP/ESL/ELL students. All of these are proactive ways to make sure your district meets OCR compliance for SPED/LEP/ESL/ELL students.

In Summary

What the Law Says:

LEP must be able to participate effectively (at or near peer) in all programs and content areas.

This is the bottom line – for all diverse learners. Including those at-risk and those with special education needs. LEP/ESL/ELL students should have same access to content instruction as their nonLEP/ESL/ELL peers, the same assistance with learning and achievement as their nonLEP/ESL/ELL peers. LEP/ESL/ELL gifted should have access to the same gifted services as nonLEP/ESL/ELL, LEP/ESL/ELL special ed students to same special education services, etc. etc. The key to all of this is separating difference from disability and using the information to plan instruction.

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Dr. Catherine Collier has over 35 years experience in cross-cultural, bilingual, and special education. She completed her Ph.D. with research into the referral of Hispanic students to special education programs. For eight years, she was a classroom teacher, resource room teacher, and diagnostician for the Bureau of Indian Affairs in Arizona and Alaska. She was the director of a teacher-training program for the University of Alaska for seven years, preparing Yup'ik Eskimo paraprofessionals for certification as bilingual preschool, elementary, and special educators. For eight years, Dr. Collier worked with the BUENO Center for Multicultural Education, Research, and Evaluation at the University of Colorado, Boulder, where she created and directed the Bilingual Special Education curriculum/Training project (BISECT), a nationally recognized effort. She continues to present at the annual Bilingual Special Education Institute sponsored by the BUENO Center as well as to the Bilingual School Psychology summer program sponsored by Fordham University in New York City. She was the Director of Resource and Program Development for the American Indian Science and Engineering Society (AISES) as well as being a Sequoyah Fellow of AISES.

Dr. Collier is the author of several books and articles on cross-cultural and multilingual special education. She works extensively with school districts on professional and program development for at-risk diverse learners. She has been active for many years in equity and social justice activities and served on the Metropolitan Human Rights Commission and the board of the American Indian Association of Portland.

Dr. Collier provides technical assistance and process/performance evaluations to departments of education regarding programs serving diverse learners. She is the principal developer of the screening and software program "Acculturation Quick Screen" and many assessment and intervention instruments and materials. Her most recent book is Separating Difference from Disability: Assessing Diverse Learners, and three chapters in the third edition of The Bilingual Special Education Interface, published by Merrill Publishing.

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